

**REMARKS:**

In the Office Action the Examiner noted that claims 14, 17, 20, 23, and 26 are pending in the application, and the Examiner rejected all claims.

Claims 1-13, 15, 16, 18, 19, 21, 22, 24 and 25 remain cancelled.

By this Amendment, claims 14, 17, 20, 23, and 26 have been amended. No new matter has been presented.

Thus, claims 14, 17, 20, 23, and 26 are pending in the application. The Examiner's rejections are traversed below, and reconsideration of all rejected claims is respectfully requested.

**CLAIM REJECTIONS UNDER 35 USC §112:**

In item 4 on page 2 of the Office Action the Examiner rejected claims 14, 17, 20, 23, and 26 under 35 U.S.C. §112, second paragraph.

By this Amendment, pertinent claims have been amended and no longer include the language in the form rejected by the Examiner.

The claimed invention, for example, enables a customer to select an electronic information service among variety of services for redeeming the customer's cumulative issued points. As a result of the redemption, the issued points are decreased in proportion to the time period associated with providing the selected electronic information service.

Therefore, withdrawal of the rejection is respectfully requested.

**CLAIM REJECTIONS UNDER 35 USC §103:**

In item 7 on page 3 of the Office Action the Examiner rejected claims 14, 17, 20, 23, and 26 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,684,195 (Deaton) in view of U.S. Patent No. 6,529,940 (Humble). The Applicants respectfully traverse the Examiner's rejections of the remaining claims.

Deaton and Humble do not teach or suggest a system and method that "converts predetermined points into a time period associated with providing the electronic information service" and "decreases the cumulative issued points according to a time spent for providing the electronic information service according to the customer's request", as recited in claim 14. See also independent claims 17, 20 and 23 reciting similar features.

Claim 26 also recites, converting points issued to a customer to **"a time period value during which an electronic service may be transmitted** according to a request by the customer by redeeming the points" and **"decreasing predetermined points in proportion to a lapse of the time period during which the electronic service is transmitted** to the customer as requested" (emphasis added). Deaton and Humble do not teach or suggest these features.

At least on page 5, the Office Action asserts that decreasing the issued points according to the time period for providing an electric information service is taught at col. 9, lines 1-45 and table on column 68 of Deaton. In connection, the Examiner has commented on the same page that the Deaton system determines purchases made within 30 day shopping period and awards less points to Value B shopper who make more purchases or are supplied more purchases than Value A shoppers who are infrequent shoppers and obtain or make less purchases.

As apparent from the above and admitted to by the Examiner, Deaton describes a system where issued points are increased or decreased by the system (i.e., not as requested by the customer) according to a record (history) of shopping performed by the user within a certain past time period. Deaton, however, does not teach or suggest cumulative issued points of the customer are decreased by redeeming the issued points "according to the customer's request during the time the electronic information service has been provided to the customer terminal", as in the claimed invention. In other words, Deaton is silent regarding service provided as a result of redeeming issued points where the issued points are decreased in proportion to the service.

As mentioned above, the claims patentably distinguish over Deaton. Further, as Humble does not add anything to Deaton with respect to the claimed invention, Humble does not cure the deficiencies of Deaton regarding claims of the present application.

In particular, the Office Action refers to col. 2, lines 45-48 of Humble as teaching feature(s) where a customer terminal displays cumulative points decreased according to the time period during which an electronic information service has been provided. However, Humble merely discusses an interactive display terminal for a presentation. As such, it is impossible to conceive of a display for indicating cumulative points decreased depending on the time during which the electronic information service has been provided, as in the claimed invention.

Furthermore, it should be noted that both cited Deaton and Humble do not show any terminals other than a POS terminal. On the contrary, the claimed invention involves a *customer* terminal, not a POS terminal, for displaying not only an electronic service but also cumulative

points decreased depending on the time period in which a service the points has been provided by redeeming the cumulative points.

Further, even assuming *arguendo* that Humble does disclose the features discussed by the Examiner, the Applicants respectfully submit that there is no motivation to combine the cited references. The Examiner stated that the combination of the references would be obvious because it would provide visual presentation to the customer. Applicants respectfully disagree with this assertion because no rationale has been provided for the asserted modification of Deaton based on teachings of Humble.

Applicants respectfully submit that a reason for a particular combination is required to establish obviousness (see, *KSR International Co. v. Teleflex Inc. (KSR)*, 82 USPQ2d 1385 (2007)). In this case, the rejection based on Deaton and Humble is made by mere conclusory statements.

Applicants request that some reasoning with some rational underpinning be provided to support the legal conclusion of obviousness since absent improper hindsight the record, however, fails to provide the required evidence (rationale) of a motivation for a person of ordinary skill in the art to perform such modification.

At least on page 4, the Office Action asserts that it is old and well known in the computer related arts to provide services electronically such as video information, voice information, software, music and database information to the customer via the customer's PC in order to avoid the need for the customer to have to wait for the goods or services or having to pick up the goods or services from a remote location.

The Applicants respectfully disagree with this assertion since there is no evidence supporting that the functionality of providing (particular) services as claimed. For example, there is no evidence showing feature(s) directed to providing services electronically as redemption of issued points, as taught by the claimed invention.

Therefore, withdrawal of the rejection is respectfully requested.

#### **CONCLUSION:**

There being no further outstanding objections or rejections, it is respectfully submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

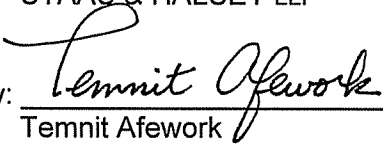
Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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Date: 12/07/2009

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